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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,960	11/27/2001	Kaj Nygren	52555.5017	8071
28977	7590	03/05/2004	EXAMINER	
MORGAN, LEWIS & BOCKIUS LLP 1701 MARKET STREET PHILADELPHIA, PA 19103-2921			WALSH, DANIEL I	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

7

<b>Office Action Summary</b>	<b>Application No.</b> 09/993,960	<b>Applicant(s)</b> NYGREN ET AL.	
	<b>Examiner</b> Daniel I Walsh	<b>Art Unit</b> 2876	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-13 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 3-7 and 14-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3,9-02 1,5,8-03</u> . | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. Receipt is acknowledged of the IDS received on 21 March 2002, 3 September 2002, 21 January 2003, 14 May 2003, and 11 August 2003.

#### ***Drawings***

2. The drawings are objected to because re FIG. 7, reference number 706 is missing. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-2, 8-13, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hudetz et al. (US 6,199,048).

Hudetz et al. teaches a method for directing an end-user to a location on a network comprising providing a database comprising a plurality of entries associated with a machine readable code, wherein the entries comprise one or more different network addresses, receiving at a network site code information associated with one or more scans of machine readable codes made by the end-user with a remote scanning device; retrieving from the database, in response to the scan information, entries associated with the machine readable code scanned by the user, at least some of the entries comprising information irrelevant to at least one of the end user country selection, end user language selection, service category, access media type, and presence of an access certificate, based on at least one of the end user country selection, end user language selection, service category, accessed media type, and presence of an access certificate, selecting one or more network addresses from the retrieved entries and connecting the user with one or more network addresses (FIG. 5 and 6). It is understood that the different addresses are associated with different providers, and that the end user connects by selecting a network site, as is well known and conventional in the art. Accordingly, it is understood that end users are associated with at least one of an end user country selection, end user language selection, service category, access media type, and presence of an access certificate as is conventional in the art. Regarding retrieving irrelevant entries, re FIG. 4, if UPC-A is scanned, entries 62-68 are fetched, which obviously are information irrelevant to at least one of the aforementioned selections based

on the descriptions 76. For example, an end user associated with a service category such as food/food preparation (re claims 9-11 and 20-22), entry 68 is irrelevant. The examiner notes that the product/service/third party service provider categories is interpreted to include food/food preparation, in reference to FIG. 4, but that is not only limited to food/food preparation. It is well within the skill in the art to recognize that entries associated with scanned codes can include product/service/third party service provider attributes, as is well known and conventional in the art. Re claims 2 and 13, Hudetz et al. teaches the addresses being listed in numerical order. Though Hudetz et al. is silent to the provider determining a priority to sort retrieved entries, the sorting of data records is well known and conventional in the art. Accordingly, sorting data in a predetermined fashion (by date, age, alphabetically, etc.) is well known and conventional for organizing data, and is an obvious expedient.

Re claim 8 and 19, as the claims do not specify how the end user indicates their service category, this claim is seen as non-limiting to the examiner. Accordingly, it is understood that a service category is indicated by the end user by several means which are well known and conventional in the art, including dress/uniform, nametag, etc.

#### ***Allowable Subject Matter***

4. Claims 3-7 and 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The examiner notes that it is well known and conventional to direct a user to a network site based on a scan of a barcode. However, the prior art of record fails to teach that the entries further comprise one or more services, each service comprising a collection of network addressed grouped in accordance with at least one shared characteristic and that the service category is indicated by the end user.

***Additional Remarks***

6. The Examiner notes that two (2) references were not considered on the IDS filed on 3 September 2002, as their patent numbers are incorrect/incomplete. Appropriate clarification/correction is required.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilz, Sr. et al. (US 6,076,733), Tenorio (US 2003/0061060 A1), Johnson et al. (US 2003/0018468 A1 ).

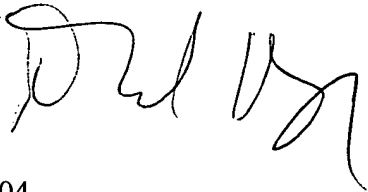
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[daniel.walsh@uspto.gov]**.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DW  
2/17/04



**THIEN M. LE  
PRIMARY EXAMINER**